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7 Attorneys for Defendant
8 ALPHA THERAPEUTIC CORPORATION

9 *[List of Attorneys Continued on Following Page]*

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 JOHN THOMAS VANNOY, a resident of
13 Wilkesboro, North Carolina,

14 Plaintiff,

15 v.

16 BAYER CORPORATION, an Indiana corporation,
17 successor to CUTTER BIOLOGICAL, a California
18 Corporation; BAXTER HEALTHCARE
19 CORPORATION, a Delaware corporation, and its
20 HYLAND DIVISION; ARMOUR
21 PHARMACEUTICAL COMPANY, INC., a
22 Delaware corporation and ALPHA
23 THERAPEUTIC CORPORATION, a California
24 corporation,

25 Defendants.

CASE NO.: CV-07-3223 EMC

STIPULATION TO STAY
PROCEEDINGS

26 MARILYN MOBERG, Bar No. 126895
27 REED SMITH LLP
28 355 South Grand Avenue, Suite 2900
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Attorneys for Defendant
BAXTER HEALTHCARE CORPORATION

CATHERINE M. VALERIO BARRAD, Bar No. 168897

STIPULATION TO STAY PROCEEDINGS
CASE NO. CV- 07-3223 EMC

4307/MAK/286108

SIDLEY AUSTIN LLP
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ARMOUR PHARMACEUTICAL COMPANY

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2405 16th Street
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Telephone: (415) 281-8888
Facsimile: (415) 503-4117

Attorneys for Defendant
BAYER CORPORATION

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

IT IS HEREBY STIPULATED by and between counsel of record for Plaintiff JOHN THOMAS VANNOY ("Plaintiff"), and Defendants BAYER CORPORATION, BAXTER HEALTHCARE CORPORATION, ARMOUR PHARMACEUTICAL COMPANY, and ALPHA THERAPEUTIC CORPORATION ("Defendants"), in the action entitled *John Thomas Vannoy v. Bayer Corporation, et al.* (CV-07-3223 EMC) that all pretrial proceedings in the Northern District of California shall be stayed until the Judicial Panel on Multidistrict Litigation completes the process for transferring this case to MDL-986, currently pending before The Honorable John F. Grady in the Northern District of Illinois; initiated by the Tag Along Notice filed on June 26, 2007 (a copy of which is attached hereto). If the Panel orders transfer, the stay shall remain in effect. If there is no transfer, or upon remand following transfer, this stay shall expire 30 days following the Panel order terminating the transfer proceedings or remanding the case. This stipulation may be signed by the parties in counterpart.

1 IT IS SO STIPULATED.

2 Dated: July ~~14~~ 10, 2007

KNAPP PETERSEN & CLARKE

5 BY: Kevin J. Stack
6 Kevin J. Stack

7 Attorneys for Defendant,
8 ALPHA THERAPEUTIC CORPORATION

9 IT IS SO STIPULATED.

10 Dated: June ___, 2007

REED SMITH LLP

12 BY: _____
13 Marilyn Moberg

14 Attorneys for Defendant,
15 BAXTER HEALTHCARE CORPORATION

16 IT IS SO STIPULATED.

17 Dated: June ___, 2007

SIDLEY AUSTIN BROWN & WOOD

19 BY: _____
20 Catherine M. Valerio Barrad

21 Attorneys for Defendant,
22 ARMOUR PHARMACEUTICAL COMPANY

1 IT IS SO STIPULATED.

2 Dated: June __, 2007

KNAPP PETERSEN & CLARKE

5 BY: _____

6 Kevin J. Stack

7 Attorneys for Defendant,
8 ALPHA THERAPEUTIC CORPORATION

8 IT IS SO STIPULATED.

9 *July*
10 Dated: ~~June~~ *6*, 2007

REED SMITH LLP

12 BY: *Marilyn Moberg*

Marilyn Moberg

14 Attorneys for Defendant,
15 BAXTER HEALTHCARE CORPORATION

16 IT IS SO STIPULATED.

17 Dated: June __, 2007

SIDLEY AUSTIN BROWN & WOOD

19 BY: _____

20 Catherine M. Valerio Barrad

21 Attorneys for Defendant,
22 ARMOUR PHARMACEUTICAL COMPANY

1 IT IS SO STIPULATED.

2 Dated: June __, 2007

KNAPP PETERSEN & CLARKE

5 BY: _____

6 Kevin J. Stack

7 Attorneys for Defendant,
8 ALPHA THERAPEUTIC CORPORATION

8 IT IS SO STIPULATED.

9 Dated: June __, 2007

REED SMITH LLP

12 BY: _____

13 Marilyn Moberg

14 Attorneys for Defendant,
15 BAXTER HEALTHCARE CORPORATION

15 IT IS SO STIPULATED.

16
17 Dated: ^{July 5}~~June~~ __, 2007

SIDLEY AUSTIN ~~BROWN & WOOD~~ LLP

19 BY: _____

20 Catherine M. Valerio Barrad

21 Attorneys for Defendant,
22 ARMOUR PHARMACEUTICAL COMPANY

1 IT IS SO STIPULATED.

2 Dated: June __, 2007

O'CONNOR, COHN, DILLON & BARR

5 BY: _____

Duncan Barr
Molly A. Kuehn

7 Attorneys for Defendant,
8 BAYER CORPORATION

10 IT IS SO STIPULATED.

11 Dated: ~~June~~ ^{July 2}, 2007

LIEFF, CABASER, HEIMANN & BERNSTEIN

15 BY: 

Elizabeth J. Cabraser
Heather A. Foster
Richard M. Heimann

17 Attorneys for Plaintiff,
18 JOHN THOMAS VANNOY

19 All pretrial proceedings in the Northern District of California shall be stayed until the Judicial
20 Panel on Multidistrict Litigation completes the process currently in progress for transferring this case
21 to MDL-986. If the Panel orders transfer, the stay shall remain in effect. If there is no transfer, or
22 upon remand following transfer, this stay shall expire 30 days following the Panel order terminating
23 the transfer proceedings or remanding the case.

24 IT IS SO ORDERED,

27 Dated _____, 2007

BY: _____

Hon. Edward M. Chen

RECEIVED
FEDERAL JUDICIAL PANEL ON
GEOFFREY SMITH, PLLC
ATTORNEYS AT LAW

7507 JUN 26 A 11:10

1350 I Street, Northwest
Suite Nine Hundred
Washington, DC 20005

JUDICIAL PANEL ON
DISTRICT

Katharine S. O'Hara
(202) 789-3457
KatieatGRWSLaw@aol.com

Telephone: (202) 625- 1224
Facsimile: (202) 333- 1637

June 26, 2007

VIA HAND DELIVERY

Michael J. Beck
Clerk of the Panel
The Judicial Panel on Multidistrict Litigation
Federal Judiciary Building
One Columbus Circle, N.E.
Room G-255, North Lobby
Washington, D.C. 20002-8004

Re: Tag-Along Case in MDL-986: In re "Factor VIII or IX Concentrate
Blood Products" Products Liability Litigation

Dear Mr. Beck:

This firm represents Bayer Corporation in MDL-986. The case of John Thomas Vannoy v. Bayer Corp. et al., has been filed in the United States District Court for the Northern District of California. It is assigned to Judge Chen under the number C-07-3223. Copies of the Summons and Complaint are enclosed.

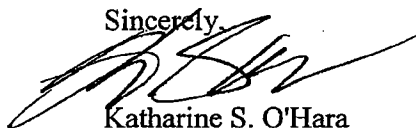
The Complaint in this case alleges, inter alia, that Mr. Vannoy, a person with hemophilia, was infected with HCV from his use of the defendants' factor concentrates (a medicine used to treat hemophilia). This claim is brought against, inter alia, Bayer Corporation and several of the same fractionator defendants that are defendants in MDL-986. Many of the allegations in this complaint are similar to the ones made in the cases that led the Panel to establish MDL-986, In re "Factor VIII or IX Concentrate Blood Products" Liability Litigation, 853 F. Supp. 454 (J.P.M.L. 1993), and, more recently, to transfer Gullone v. Bayer Corp., and other similar cases to MDL-986.

Michael J. Beck
June 26, 2007
Page 2

Bayer Corporation believes that transfer of this case to the Northern District of Illinois "will promote the just and efficient conduct" of this action. 28 U.S.C. § 1470(a). Transfer under § 1407 will also avoid the potential for duplicative discovery and inconsistent rulings on certain legal issues raised by this and other factor concentrate cases now pending in the Northern District of Illinois as part of MDL-986.

For the forgoing reasons, Bayer Corporation believes that this case should be treated as a "tag-along case" in MDL-986 and that a conditional transfer order should be issued. Please advise me as soon as possible if a conditional transfer order will not be issued in this matter; so that defendants can promptly file a motion to have this case transferred to MDL-986.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. O'Hara', is written over the word 'Sincerely,'.

Katharine S. O'Hara

KSO/ps
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of July, 2007, I caused to be served a true and correct copy of the documents described as STIPULATION TO STAY PROCEEDINGS; ORDER (PROPOSED); and NOTICE OF CONDITIONAL TRANSFER ORDER on the following counsel of record pursuant to ECF as to Filing Users and by Federal Express, postage prepaid, pursuant to Local Rule 5.5 as to any party who is not a Filing User or represented by a filing user:

SERVICE LIST

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HEALTHCARE CORPORATION

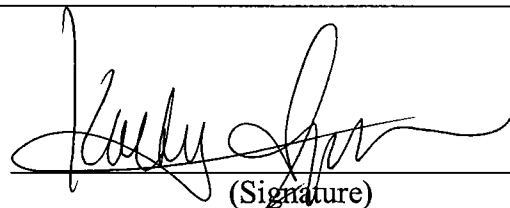
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Kathy Szabados
(Type or print name)


(Signature)